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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

THE RHODES COMPANIES, LLC, aka
"Rhodes Homes," et al.,

Reorganized Debtors

Case No.: 09-14814-LBR
(Jointly Administered)

Chapter 11

**STIPULATION TO VACATE
HEARING ON MOTION TO STAY**

Hearing Date: January 6, 2012
Hearing Time: 9:30 AM
Place: Courtroom 1

☒ Affects all Debtors

☐ Affects the following Debtors

1 James M. Rhodes (“**Rhodes**”), by and through his undersigned counsel, and the
2 Litigation Trust of The Rhodes Companies, LLC, et al. (the “**Litigation Trust**”), through their
3 undersigned counsel, (collectively referred to hereinafter as the “**Parties**”), respectfully submit
4 this *Stipulation to Vacate Hearing on Motion to Stay* (the “**Stipulation**”) and agree and stipulate
5 as follows:
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7 WHEREAS, on November 9, 2011, Rhodes filed his *Motion to Stay the Order Denying*
8 *Motion to Quash Rule 2004 Examinations and Corresponding Subpoenas* (the “**Motion to**
9 **Stay**”) with the Court;

10 WHEREAS, on November 30, 2011, the Litigation Trust filed their *Response to Motion*
11 *to Stay the Order Denying Motion to Quash Rule 2004 Examinations and Corresponding*
12 *Subpoenas* (the “**Response**”) with the Court;

13 WHEREAS, a hearing on the Motion to Stay has been scheduled for January 6, 2012 at
14 9:30 a.m. (PST);

15 WHEREAS, Rhodes has agreed to withdraw the Motion to Stay.

16 WHEREFORE IT IS HEREBY STIPULATED AS FOLLOWS:

17 1. The Parties respectfully request the Court vacate the hearing on the Motion to
18 Stay currently scheduled for January 6, 2012 at 9:30 a.m. (PST).
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SUBMITTED BY:

FABIAN & CLENDENIN

/s/ David R. Hague
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APPROVED BY:

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CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of December, 2011, I caused the foregoing document to be filed electronically via the electronic filing system of the United States Bankruptcy Court for the District of Nevada, which caused a true and correct copy of the foregoing to thereafter be served electronically via the Bankruptcy Court's ECF noticing system upon those parties registered to receive electronic service in this case.

/s/ David R. Hague

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